

**CHEROKEE COUNTY
STATE OF GEORGIA**

Patty Baker, Clerk of Superior Court Cherokee Cty, GA

SEPTEMBER 2020 GRAND JURY PRESENTMENT

**TO: The Honorable Ellen McElyea
Chief Judge, Superior Court
Cherokee County, Georgia**

**The Honorable David L. Cannon, Jr.
Judge, Superior Court
Cherokee County, Georgia**

**The Honorable M. Anthony Baker
Judge, Superior Court
Cherokee County, Georgia**

We, the members of this Grand Jury, chosen and sworn to serve the September 2020 Term of the Superior Court of Cherokee County, hereby submit the following report and recommendations.

We, the September 2020 Grand Jury, heard 262 Bills of Indictment, returned 262 True Bills and 0 No Bills.

Presentment 1

We, the September 2020 Grand Jury, commend Superior Court Bailiffs Johnny Champion, Faye McCurry, and Linda Wolfe for their diligent assistance in arranging materials for the Grand Jury proceedings, coordinating Grand Jury payroll, and ensuring that all of the Grand Jury proceedings ran smoothly.

Presentment 2

We, the September 2020 Grand Jury, commend District Attorney Shannon Wallace, each of her Assistant District Attorneys and staff members, and each law enforcement officer and investigator associated with the cases brought before this Grand Jury for their professionalism and hard work in protecting the citizens of Cherokee County.

Presentment 3

We, the September 2020 Grand Jury, express our sincere appreciation to Sheriff Frank Reynolds, Captain Danny Higgins, and Lieutenant Irene Ruiz for hosting an informative tour of the Cherokee County Adult Detention Center. We, the Grand Jury, toured the intake area, classifications area, the master control center, the medical unit, and the housing units. Overall, we found the areas we visited to be clean, orderly and effectively managed, especially during this global pandemic.

We, the September 2020 Grand Jury, commend Sheriff Reynolds and his staff at the Cherokee County Adult Detention Facility for the manner in which his office is handling the current COVID pandemic by implementing and enforcing COVID policies and protocols within the jail to reduce the spread of this virus and to ensure the health and safety of all inmates in this facility.

Presentment 4

We, the September 2020 Grand Jury, express our sincere gratitude to the District Attorney and her staff, the Clerk of Courts and her staff, the Bailiffs, the Judges, the law enforcement and all of those involved in organizing, coordinating, and managing Grand Jury during this global pandemic.

We, the September 2020 Grand Jury, were provided Personal Protective Equipment (PPE), were socially distanced in the jury assembly room throughout our service, and were each required to wear masks throughout our service. It was abundantly clear to the Grand Jury that our health and safety was a top priority at all times during this term to all individuals involved with ensuring the statutory duties of the Grand Jury were fulfilled.

We, the September 2020 Grand Jury, would like to especially commend the District Attorney and her staff for being as accommodating as possible to the Grand Jury, for taking our suggestions seriously, and for quickly implementing suggested changes. For instance, when the Grand Jury expressed concern about being unable to clearly hear the witnesses due to the requirement that each witness wear masks during his or her testimony, the District Attorney's Office quickly implemented changes and required each witness to wear a face shield instead of a mask. This small change implemented immediately tremendously helped to ensure the Grand Jury could clearly hear each word spoken by all witnesses.

Presentment 5

We, the September 2020 Grand Jury, express our sincere appreciation to Patty Baker for her presentation on the pay of the grand jurors and traverse jurors and to Lynn Epps for her presentation on the pay of the bailiffs. Grand jurors are currently paid \$50.00 per day for service and traverse jurors are currently paid \$25.00 per day for service. Bailiffs are currently paid \$85.00 per day for service. We, the Grand Jury, find the current pay for all jurors and bailiffs is reasonable and do not recommend the pay be changed for jurors or bailiffs at this time.

Presentment 6

We, the September 2020 Grand Jury, express our sincere appreciation to Patty Baker for her presentation on the Board of Equalization and its functions. Pursuant to O.C.G.A. §48-5-311, we, the Grand Jury, were provided notice by the Clerk of Courts of six vacancies on Board of Equalization. While the Clerk of Courts publicized these vacancies in compliance with O.C.G.A. § 15-12-8, there were only four applications submitted to the Clerk of Court.

We, the September 2020 Grand Jury, re-appoint three current Board of Equalization members, Dawn Bingham as a Regular Member, Benjamin Cunningham as a Numbered Alternate Member, and Darrell Dobson as an Additional Alternate Member, for a term commencing January 1, 2021, and ending December 31, 2023.

We, the September 2020 Grand Jury, recommend that the Clerk of Court re-publicize the remaining three vacancies as required by statute but also publicize in alternate advertising means such as online, by radio, and in the non-legal section of the Cherokee Tribune and the Cherokee Ledger in hopes of getting more applicants to fill the remaining three vacancies on this important board.

We, the September 2020 Grand Jury, further recommend that the January 2021 Grand Jury thoroughly vet all applicants who apply to fill these three vacancies on the Board of Equalization and conduct an interview with each applicant before selecting new members for the Board of Equalization.

Presentment 7

We, the September 2020 Grand Jury, express our thanks to Clerk of Courts Patty Baker for her presentation on the ballot review process. We, the Grand Jury, would like to note that a former Grand Jury recommended the clerk digitize the ballots to make the ballot review process

easier for the Grand Jury to review; however, current state law does not authorize the Clerk of Courts to follow this recommendation.

We, the September 2020 Grand Jury, formed a committee comprised of ten Grand Jurors to review the ballots from the 2018 primary and general elections pursuant to O.C.G.A. §21-2-500. The following Grand Jurors were on the committee: Steven Brett Haywood, Matthew Gillentine, Karen Galvin, Janet Little, Jeffrey Gray, Stephanie Robison, Brenda Kent, Debbie Baluch, Jeffrey Pannell, and Jared Gibson. There were twenty-five total boxes of ballots broken down as follows: one box and one envelope from the May 22, 2018 election; one box from the July 24, 2018 election; eighteen boxes from the November 6, 2018 election; and five boxes from the December 4, 2018 election. The boxes were not sealed when the Grand Jury received them due to a federal court order presented to the Clerk of Court by the Georgia Secretary of State's Office in 2020, which required the Secretary of State's office to open the boxes to conduct an investigation.

We, the September 2020 Grand Jury, did not find any major abnormalities during the inspection although the contents of the box did not always match the label on the outside of the box.

Presentment 8

We, the September 2020 Grand Jury, express our thanks to the Honorable M. Anthony Baker for his professionalism and informative empanelment of this Grand Jury.

Based on our service this term, we, the September 2020 Grand Jury, make the following recommendations:

Recommendation 1:

Based on the current size of the Justice Center and the parking lot, the current staff which occupy the Justice Center, and the amount of growth expected in Cherokee County over the next few years, we, the September 2020 Grand Jury, recommend that the Justice Center and parking lot be expanded as soon as possible.

Recommendation 2:

We, the September 2020 Grand Jury, recommend the chairs in the jury assembly room be replaced with more comfortable chairs as sitting in these chairs all day while serving as a juror is extremely difficult.

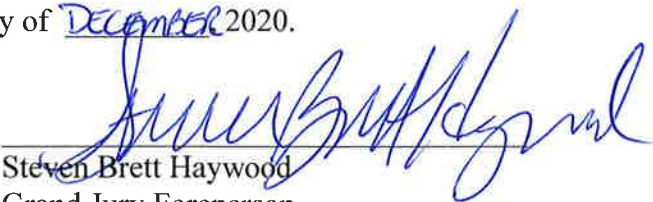
Recommendation 3:

We, the September 2020 Grand Jury, recommend that all jurors be allowed to bring metal cups into the Justice Center while serving as a juror.

Recommendation 4:

We, the September 2020 Grand Jury, express our sincere appreciation to the Cherokee County Sheriff's Office Internet Crimes Against Children (ICAC) Unit for the excellent job they do in protecting the children in Cherokee County. We, the Grand Jury, recommend this Unit be increased in size and that more funding be allocated to ensure this Unit has the proper resources needed to continue serving and protecting the public.

Respectfully submitted this 15 day of DECEMBER 2020.



Steven Brett Haywood
Grand Jury Foreperson

CHEROKEE COUNTY
STATE OF GEORGIA

ORDER

It is ordered that the within and foregoing Interim Grand Jury Presentment having been read and considered, the same be filed.

It is further ordered that a copy of the Interim Grand Jury Presentment along with a copy of this Order be sent to the Cherokee Tribune for publication and the usual fees paid thereon.

This the 15 day of December, 2020.



Judge, Superior Court
Blue Ridge Judicial Circuit